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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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:
CITY OF PROVIDENCE, RHODE ISLAND, :
individually and on behalf of all others similarly situated, :
Plaintiff, :

-v- :

BATS GLOBAL MARKETS, INC. et al., :
Defendants. :

14-CV-2811 (JMF)

-----X
:
AMERICAN EUROPEAN INSURANCE COMPANY, :
individually and on behalf of all others similarly situated, :
Plaintiff, :

-v- :

BATS GLOBAL MARKETS, INC. et al., :
Defendants. :

14-CV-3133 (JMF)

-----X
:
HAREL INSURANCE CO, LTD., *individually and on* :
behalf of all others similarly situated, :
Plaintiff, :

-v- :

BATS GLOBAL MARKETS, INC. et al., :
Defendants. :

14-CV-3608 (JMF)

-----X
:
JAMES J. FLYNN et al., *individually and on behalf of all* :
others similarly situated, :
Plaintiffs, :

-v- :

BANK OF AMERICA CORPORATION et al., :
Defendants. :
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14-CV-4321 (JMF)

ORDER

JESSE M. FURMAN, United States District Judge:

On June 10, 2014, this Court issued a schedule for motions seeking appointment of lead plaintiffs in these related cases. In response, three groups of parties moved this court to be appointed lead plaintiffs: City of Providence, Rhode Island, Plumbers and Pipefitters National Pension Fund, Employees' Retirement System of the Government of the Virgin Islands, State-Boston Retirement System, and Första AP-fonden (collectively, the "Institutional Investors") (14-CV-2811, Docket No. 167); Applied Financial Science, Inc. ("AFSI") (14-CV-2811, Docket No. 170); and James J. Flynn and Dominic A. Morelli (14-CV-2811, Docket No. 173). In addition, the Institutional Investors moved to consolidate the four cases captioned above, pursuant to 15 U.S.C. § 78u-4(a)(3)(B)(ii), on the grounds that they assert substantially similar or overlapping claims and that they raise substantially similar questions of law and fact.

In their reply memoranda, movants AFSI and Flynn and Morelli indicated that, upon review, they do not oppose the Institutional Investors' motion for appointment as lead counsel and consolidation, effectively withdrawing their competing motions. (14-CV-2811, Docket Nos. 198, 205). No other party filed opposition to the Institutional Investors' motion.

In light of the foregoing, and upon review of the Institutional Investors' motion papers and the complaints in all four cases, the Institutional Investors' motion is GRANTED in all respects. That is, the Court agrees that the cases are substantially similar and that judicial efficiency would be promoted by their consolidation. Accordingly, the four cases captioned above are hereby consolidated for all purposes. Additionally, the Institutional Investors are appointed lead Plaintiffs and their chosen counsel — Robbins Geller Rudman & Dowd LLP, Motley Rice LLC, and Labaton Sucharow LLP — are appointed as lead counsel.

In light of these decisions, the Court sees no reason to hold the conference previously scheduled in these cases for July 9, 2014, and that conference is hereby CANCELLED. The parties are reminded that the schedule set by the Court's endorsement of May 15, 2014 (14-CV-2811, Docket No. 40) remains in effect. Pursuant to that schedule, the Institutional Investors shall file an amended, consolidated complaint within sixty days of this order or otherwise indicate their intent to rely on the previously filed complaint.

The Clerk of Court is directed to consolidate these four cases for all purposes and to terminate Docket Numbers 167, 170, and 173 in 14-CV-2811, and Docket Number 6 in 14-CV-4321.

SO ORDERED.

Date: July 2, 2014
New York, New York



JESSE M. FURMAN
United States District Judge